

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 8th DAY OF AUGUST 2011 AT 6:30 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	James D. Politis	-Chair
	William H. Brown	-Vice Chair
	Mary W. Biggs	-Supervisors
	Gary D. Creed	
	Doug Marrs	
	John A. Muffo	
	Annette S. Perkins	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	Steve Sandy	-Planning Director
	Dari Jenkins	-Zoning Administrator
	Ruth L. Richey	-Public Information Officer
	Vickie L. Swinney	-Secretary, Board of Supervisors

CALL TO ORDER

The Chair called the meeting to order.

INTO CLOSED MEETING

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

- Section 2.2-3711 (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body

1. Old Blacksburg Middle School Property

- (5) Discussion Concerning a Prospective Business or Industry or the Expansion of an Existing Business or Industry Where No Previous Announcement Has Been Made of the Business or Industry's Interest in Locating or Expanding Its Facilities in the Community.

1. Project # 2011-022

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
Annette S. Perkins	
William H. Brown	
Mary W. Biggs	
Doug Marrs	
John A. Muffo	
James D. Politis	

OUT OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Annette S. Perkins	None
William H. Brown	
Mary W. Biggs	
Doug Marrs	
John A. Muffo	
Gary D. Creed	
James D. Politis	

CERTIFICATION OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

William H. Brown
Mary W. Biggs
Doug Marrs
John A. Muffo
Gary D. Creed
Annette S. Perkins
James D. Politis

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

None

INVOCATION

A moment of silence was led by the Chair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

DELEGATIONS

Virginia Department of Transportation

David Clarke, VDOT Maintenance Manager, updated the Board on road projects/issues in Montgomery County. Mr. Clarke reported that the paving contractors are scheduled to start in Montgomery County soon. He also reported that all the revenue sharing projects will be overseen by the Salem District Office from now on. Most of the projects have been pushed back with advertisement dates scheduled in 2012.

The Board of Supervisors reported the following:

- Board members asked the County Administrator to send a letter to Richard Caywood, VDOT Salem District Administrator, to express the County's frustration on delayed/prolonged road projects (Revenue Sharing & Six Year Secondary Road).
- Supervisor Politis reported that Laurel Ridge Road and other secondary roads in his district need overhanging trees and brush cut back. He expressed concern that school is starting soon and buses will have problems with the trees hanging over the road.
- Supervisor Creed stated he has the same problem in eastern Montgomery County with overhanging trees and brush.
- Supervisor Brown reported that at the intersection at Lick Run Rd and Gooseberry Lane needs repair work due to the creek washing out the shoulder.

Virginia Cooperative Extension

Michelle Dickerson, 4-H Director, reported that the State's restructuring plan for the Virginia Cooperative Extension has been canceled for now. They will be looking at staffing issues across the state to determine what localities need additional staff. Montgomery County Extension only has one full-time position, the 4-H Director, and two part-time positions (Master Gardner and 4-H Assistant).

Ms. Dickerson provided an overview of the school year-end program and summer programs being offered through the Montgomery County Extension Office.

Wendy Silverman, Master Gardner, reported on activities in the Master Gardner program and how they initiated a help desk for the Master Gardeners.

Agenda 21

Chip Tarbutton, Roanoke County Tea Party Leader, made a presentation on the Agenda 21 to the Board of Supervisors. Mr. Tarbutton wants to ensure that local governments make proper zoning/planning decisions without influence from the state and federal government.

Agenda 21 is an action plan of the United Nations (UN) related to sustainable development and was an outcome of the United Nations Conference on Environment and Development (UNCED) held in Rio de Janeiro, Brazil, in 1992. It is a comprehensive blueprint of action to be taken

globally, nationally and locally by organizations of the UN, governments, and major groups in every area in which humans directly affect the environment.

Over the last couple of years the state government of Virginia has been rolling out a land use planning category for localities known as Urban Development Areas (UDAs), where higher density development can be concentrated. The concept started off slowly in 2007 with HB 3202 as an advisory element to be placed in the Comprehensive Plans of “high growth” localities, but UDAs have gradually been weaved into everything from stormwater regulations to street design requirements over the last year. These plans are part and parcel of the sustainable development plan.

The biggest proponent of Sustainable Development is ICLEI, the International Council for Local Environmental Issues, which was formed in 1990 and is a United Nations certified ‘non-governmental organization,’ or NGO. ICLEI’s plan for implementing Agenda 21 is what amounts to a ‘global to local’ plan of action. According to ICLEI’s website their mission “is to build and serve a worldwide movement of local governments to achieve tangible improvements in global sustainability with special focus on environmental conditions through cumulative local actions.

Mr. Tarbutton urged the Montgomery County Board of Supervisors to look out for its citizens and use caution when following state mandates regarding land use.

PUBLIC ADDRESS

Don Gresh announced the Blacksburg Dixie League All-Star Baseball for 9-10 year olds won the State Championship and will play in the World Series in Moore County, North Carolina. Mr. Gresh asked the Board of Supervisors to consider a donation toward their team to help cover travel expenses to the World Series.

Kathleen Turner a resident of Pulaski County, Virginia addressed the Board with concerns with Agenda 21 and the New River Valley Planning District Commission’s New River Valley Livability Initiative grant. Ms. Turner stated that this grant is part of a HUD Grant which relates back to the United Nations Agenda 21.

Frank Symanoskie thanked the Board for including Agenda 21 on their agenda for discussion tonight. Mr. Symanoskie stated Agenda 21 is a very comprehensive subject which needs to be studied further. He asked the Board to learn more about Agenda 21 and work with adjoining localities on this issue.

Roger Averhaut thanked the Board for allowing the presentation on Agenda 21 tonight. Mr. Averhaut urged the Board to research this topic further. He believes that the constitution is being shredded and stomped on.

Greg Aldridge, a Floyd County resident, addressed the Board with concerns regarding Agenda 21. Mr. Aldridge wondered what the connection between Agenda 21 and the Virginia General Assembly is. He stated that there may be no strings attached with receiving the Livability Initiative grant funds now but what about later.

Debbie Mopay expressed concerns with the NRVPDC accepting the Livability Initiative grant funds when the State is telling localities what to do with their land. She believes this is taking the planning out of local hands. When the livability plan is finished will the localities be forced to adopt the regional plan?

Charles Whiting, a retired Engineer with the Virginia State Planning & Engineering Department, expressed concerns with orders from the State for localities to approach land use planning at a regional level. He believes this goes further up to the United Nation as part of their Agenda 21. He believes localities know what is best for their citizens and therefore the local government should be able to plan accordingly. He believes that the Agenda 21 will dictate to everyone on how to use their land.

J.C. Holdron stated that the General Assembly has dictated to local governments by adopting legislation on all issues that localities have to abide by. For example, in July 2009 the General Assembly adopted legislation to clean up the Chesapeake Bay, but what most don't realize is that attached to this bill was a mandate that all old septic systems be replaced to meet EPA guidelines. This requirement costs developers and homeowners \$30,000 for a new system.

There being no further speakers, the public address session was closed.

CONSENT AGENDA

On a motion by William H. Brown, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda dated August 8, 2011 was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Doug Marrs	
John A. Muffo	
Gary D. Creed	
Annette S. Perkins	
William H. Brown	
James D. Politis	

Approval of Minutes

On a motion by William H. Brown, seconded by Mary W. Biggs and carried unanimously, the minutes dated February 14, February 28, and March 7, 2011 were approved.

Appropriations and Transfers

A-FY-12-22 RADIO CACHE EQUIPMENT ENHANCEMENT GRANT

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2011, for the function and in the amount as follows:

111	EMS Grants	\$37,500
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
434410 Federal Grants	\$37,500

Said resolution appropriates federal grant funds to enhance the County's radio cache equipment.

A-FY-12-23 TRANSFER FUNDS FROM UNDESIGNATED FIRE AND RESCUE PROJECTS TO THE RINER FIRE DEPARTMENT

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a County Capital Projects fund transfer of appropriation is hereby authorized, as follows:

<u>FROM:</u>	
3300 Undesignated Fire and Rescue Projects	(\$124,000)

<u>TO:</u>	
3301 Riner Fire Department	\$124,000

Said resolution transfers appropriated funds provided in the FY 12 budget for fire and rescue projects to the Riner Fire Department.

OLD BUSINESS

ORD-FY-12-06

**AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF
APPROXIMATELY 2.4 ACRES FROM AGRICULTURAL (A1) TO PLANNED
MOBILE HOME RESIDENTIAL PARK (PMR), LOCATED AT 232 COAL HOLLOW
ROAD AND 2720 PEPPERS FERRY ROAD, IDENTIFIED AS TAX PARCEL NOS. 64-
A-165, 64-A-169, 64-A-171, 64-A-172, 64-A-173, 64-A-176, 64-A-181 & 64-A-185C,
ACCOUNT NUMBERS 018494, 013076, 005101, 017988, 001934, 011982, 011977, 033492
BILLY AND RUTH MASSIE**

On a motion by William H. Brown, seconded by Mary W. Biggs and carried unanimously,

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning, is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice and therefore approves the request to rezone approximately 2.4 acres from Agriculture (A1) to Planned Mobile Home Residential Park (PMR), to allow expansion of the existing Massie's Mobile Home Park.

The subject parcels are located at 232 Coal Hollow Road and 2720 Peppers Ferry Road and identified as tax parcel nos. 64-A-165, 64-A-169, 64-A-171, 64-A-172, 64-A-173, 64-A-176, 64-A-181 & 64-A-185C, account numbers 018494, 013076, 005101, 017988, 001934, 011982, 011977, 033492 in the Riner Magisterial District (District E).

The property currently lies in an area designated as Village Expansion in the 2025 Comprehensive Plan and further described as High Density Residential within the Belview Village Plan.

This action was commenced upon the application of Billy D. and Ruth G. Massie.

This ordinance shall take effect upon adoption.

The vote on the foregoing ordinance was as follows:

AYE

Doug Marrs
John A. Muffo
Gary D. Creed
Annette S. Perkins
Mary W. Biggs
William H. Brown
James D. Politis

NAY

None

**R-FY-12-13
SPECIAL USE PERMIT
BILLY D. & RUTH G. MASSIE
FOR THE PURPOSE OF ALLOWING
AN AMENDMENT TO A SPECIAL USE PERMIT
FOR A TEN (10) UNIT EXPANSION OF THE
EXISTING MASSIE'S MOBILE HOME PARK
IN A PLANNED MOBILE HOME RESIDENTIAL PARK (PMR) DISTRICT
IN THE RINER MAGISTERIAL DISTRICT (DISTRICT E)
PARCEL ID NUMBERS 018494, 013076, 005101, 017988, 001934, 011982,
011977, 033492), TAX MAP NUMBERS 64-A-165, 64-A-169, 64-A-171, 64-A-
172, 64-A-173, 64-A-176, 64-A-181 & 64-A-185C**

On a motion by Annette S. Perkins, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the request by Billy D. and Ruth G. Massie for a Special Use Permit (SUP) on approximately 45.307 acres in a Planned Mobile Home Residential Park (PMR) zoning district to allow a ten (10) unit expansion of the existing Massie's Mobile Home Park for a total of 174 units is found to be consistent with the County's Comprehensive Plan and is hereby approved with the following conditions:

1. This Special Use Permit (SUP) authorizes expansion of Massie's Mobile Home Park to a maximum of 174 units on 45.307 acres, based upon the PMR Concept Plan for Massie's Mobile Home Park, Revised June 9, 2011, prepared by Highland Surveys P.C.
2. A boundary line adjustment plat shall be submitted and approved vacating the interior parcel lines as indicated on the PMR Concept Plan for Massie's Mobile Home Park, Revised June 9, 2011, prepared by Highland Surveys P.C., prior to approval of the final development plan by the Zoning Administrator.
3. Final development plans shall be approved by the Zoning Administrator prior to the issuance of any building permits for installation of manufactured home on new spaces.
4. Final development plans shall include any improvements requested by Montgomery County Public Schools Transportation Department for the school bus loading areas.
5. Fire hydrants shall be installed throughout the entire park so that no manufactured home space will be more than 500 feet by road from a hydrant, subject to engineering constraints. Hydrant locations (existing and proposed) shall be noted on final development plans.
6. If required, an erosion and sediment control plan shall be submitted to the County Engineer for approval prior to any excavation.
7. New access roads shall be surfaced in conformance with County Code Section 10-36, Planned Mobile Home Residential Park, prior to the installation of any manufactured homes served by those roads.
8. A landscaping and buffering plan for the areas indicated on the PMR Concept Plan for Massie's Mobile Home Park, Revised June 9, 2011, prepared by Highland Surveys P.C.,

including a variety of plant species, shall be approved by the Zoning Administrator as part of the final development plans for the expansion.

9. New street names and addresses for all units in the mobile home park shall be assigned by the County's E-911 Coordinator. New street signs and 911 address markers for all units shall be purchased and installed by the property owner. Installation shall be completed within sixty (60) days of receipt of signs from the County. All address and street changes shall be coordinated with Montgomery County, U. S. Post Office and Verizon.
10. A total of three stop signs shall be purchased and installed by the owner where Coal Hollow Rd. (Rt. 705) intersects Mass Circle and Tunnel Circle, and where Peppers Ferry Rd. (Rt. 114) intersects Mass Circle. Signs shall be installed outside the VDOT right-of-way unless approval is granted by VDOT otherwise.

The properties are located at 232 Coal Hollow Road and 2720 Peppers Ferry Road and identified as Tax Parcel Nos. 64-A-165, 64-A-169, 64-A-171, 64-A-172, 64-A-173, 64-A-176, 64-A-181 & 64-A-185C; Parcel ID #'s 018494, 013076, 005101, 017988, 001934, 011982, 011977, 033492) in the Riner Magisterial District. The property currently lies in an area designated as Village Expansion in the 2025 Comprehensive Plan and further described as High Density Residential within the Belview Village Plan.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
Gary D. Creed	
Annette S. Perkins	
Mary W. Biggs	
Doug Marrs	
William H. Brown	
James D. Politis	

NEW BUSINESS

R-FY-12-14 A RESOLUTION APPROVING THE CAPITAL FINANCING PLAN FOR THE CONSTRUCTION OF THE NEW BLACKSBURG AND AUBURN HIGH SCHOOLS AND RENOVATION OF THE AUBURN MIDDLE SCHOOL

On a motion by Annette S. Perkins, seconded by William H. Brown and carried,

WHEREAS, The Montgomery County School Board ("the School Board") desires to design and construct a new Blacksburg High School and a new Auburn High School, and

renovate the existing Auburn High School for use as Auburn Middle School (“School Projects”); and

WHEREAS On November 22, 2010, the Board of Supervisors adopted a resolution supporting the replacement of the Auburn High School and the Blacksburg High School, and the renovation of the existing Auburn High School for use as Auburn Middle School, subject to the following stipulations:

1. Since the planning and design phase for Auburn High School has already started, the Board of Supervisors supports the School Board moving forward immediately with finalizing the design process for the new Auburn High School so that the Auburn High School project may be ready for construction as quickly as possible.
2. The Board of Supervisors supports the School Board applying for Qualified School Construction Bond (“QSCB”) non-interest funding from the Commonwealth of Virginia to be used as a funding source for any or all of the school projects listed above.
3. The Board of Supervisors supports the School Board beginning the design process as soon as possible for a new Blacksburg High School.
4. The start of construction of the proposed School Projects shall be contingent upon the following:
 - (a) The Town of Blacksburg expressing their support for a mixed use development on the old Blacksburg Middle School (“OBMS”) site so that the money realized from the sale of the OBMS site may be used as a funding source for the proposed school capital projects.
 - (b) The School Board agreeing to surplus the Blacksburg High School site on Patrick Henry Drive to the County so that the County may sell the property and use the proceeds from the sale as a funding source for the proposed school capital projects.
 - (c) The Town of Blacksburg expressing their willingness and support to work with the County on the redevelopment of the Blacksburg High School site on Patrick Henry Drive so that the proceeds realized from the sale of the Blacksburg High School site may be used as a funding source for the proposed school capital projects.
5. The School Board agreeing to express their willingness and support to surplus the Elliston-Lafayette Elementary, Price’s Fork Elementary and Shawsville Elementary School properties when these properties are no longer needed for educational purposes so that the proceeds from the future sale of these properties may be used as a

funding source for the Auburn High School, the Blacksburg High School and/or the Auburn Middle School projects.

6. The School Board agrees to use the insurance proceeds for the Blacksburg High School project and to use the leftover bond proceeds from the Price's Fork and Eastern Montgomery Elementary School projects as a funding source for the Auburn High School, Blacksburg High School and/or Auburn Middle School projects.
7. The County Administrator, working with County staff, the County's financial advisors, and the Board of Supervisors, shall develop a capital funding plan for the School Projects. The capital funding plan shall include the insurance proceeds from the School Board for the collapsed Blacksburg High School gymnasium, proceeds from the sale of surplus school properties (to include OBMS Blacksburg High School, Elliston-Lafayette Elementary School, Shawsville Elementary School and old Price's Fork Elementary School), the surplus bond money from the Price's Fork and Eastern Montgomery Elementary school projects, and the issuance of future debt to provide for the remaining proceeds needed to fund the proposed School Projects. The Board of Supervisors desires that any future debt issuances to pay for these proposed School Projects be structured in such a way to allow for incremental tax increases over a four to five year period with no projected property tax increase needed to fund these three capital projects until fiscal year FY 2013; and

WHEREAS, the following actions regarding these stipulations have been accomplished:

1. \$15 million in QSCB non-interest funding from the Commonwealth of Virginia was awarded for the Blacksburg High School Project,
2. The Town of Blacksburg and Montgomery County adopted a Master Plan for mixed use development on the old BMS site,
3. The School Board by resolution dated April 26, 2011 declared its intent to surplus the Elliston-Lafayette Elementary, Price's Fork Elementary and Blacksburg High School properties when these properties are no longer needed for educational purposes and to use the funds from the sale of these properties for the School Projects.
4. Funds remaining from the surplus bond proceeds from the two elementary school projects and the remaining proceeds from the insurance recovery for the Blacksburg High School gym are included in the financing plan of the School Projects; and

WHEREAS, On July 11, 2011, the Board of Supervisors passed a resolution that authorized the School Board to enter into a Comprehensive Agreement under the provisions of Public-Private Education Facilities and Infrastructure Act of 2002, ("The PPEA") with Branch & Associates, Inc., for the development of the School Projects; and

WHEREAS, On July 22, 2011, the County's Financial Advisor, Davenport LLC, presented the Board of Supervisors a proposed Financing Plan for \$124.5 million to fund the School Projects; and

WHEREAS, The proposed Financing Plan includes the use of an estimated \$12.1 million of funds on hand from the remaining insurance proceeds from the BHS gym collapse and remaining bond proceeds from the two elementary school projects, with the balance from a combination of \$15 million in QSCB funding from the Commonwealth of Virginia, and a County issuance of new bonds in the fall of 2011 ("the Financing Plan"); and

WHEREAS, The Financing Plan proposes to issue new bonds (in addition to the QSCB bonds) through the Virginia Public School Authority (VPSA) in an amount not to exceed \$100 million to include an estimated \$98 million in proceeds for project costs and estimated \$2 million in issuance costs; and

WHEREAS, Should VPSA not be an available option, the Financing Plan proposes an alternative which is an issuance of lease-revenue bonds (in addition to the QSCB bonds) through the Montgomery County Economic Development Authority in an amount not to exceed \$110 million to include an estimated \$98 million in proceeds for project costs and estimated \$2 million in issuance costs and a required debt reserve estimated at \$10 million, which would be used to pay the final payments under the loan.

NOW, THEREFORE BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby approves the Financing Plan for the School Projects and authorizes the County Administrator to proceed with the process to participate in a bond sale through the Virginia Public School Authority, or if not available, through the Montgomery County Economic Development Authority in the fall of 2011; and

FURTHER, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby agrees to generate the necessary resources to pay the annual debt service cost through an increase in the real estate tax rate estimated at 10 cents in Fiscal Year 2012-2013; and that funds obtained from the future sale of school surplus properties, after sale expenses are deducted, are to be used to offset debt service costs of the School Projects; and

FURTHER, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby authorizes staff to schedule the required public hearing for Monday, September 12, 2011, at 7:15 p.m. or as soon thereafter in the Board of Supervisors Chambers in the Montgomery County Government Center, located at 755 Roanoke Street, Christiansburg, Virginia, in order to hear citizen comments on the Board of Supervisors' intention to authorize the issuance of the bonds for the School Projects.

The vote on the foregoing resolution was as follows:

AYE

Annette S. Perkins
William H. Brown
Mary W. Biggs
John A. Muffo
James D. Politis

NAY

Gary D. Creed
Doug Marrs

**R-FY-12-15
RESOLUTION OF COMMEMORATION
THOMAS E. HEAVENER**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

WHEREAS, The recent death of *Thomas E. Heavener* has touched and saddened all those who knew and loved him; and

WHEREAS, *Thomas E. Heavener* served on the Board of Zoning Appeals (BZA) from May 28, 1996 through June 30, 2011; and

WHEREAS, *Thomas E. Heavener* served as Chairman of the BZA from 1998 through 2006; and

WHEREAS, *Thomas E. Heavener* will be greatly missed by those who knew and loved him.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia does hereby express its deepest condolences and most heartfelt sympathy to the many friends and loved ones of *Thomas E. Heavener*.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to the family of *Thomas E. Heavener* and that a copy be made a part of the official minutes of Montgomery County, that his memory may be so honored.

The vote on the foregoing resolution was as follows:

AYE

William H. Brown
Mary W. Biggs
Doug Marrs
John A. Muffo
Gary D. Creed
James D. Politis

NAY

None

ABSENT DURING VOTE

Annette S. Perkins

BOARD OF SUPERVISORS' REPORTS

Supervisor Muffo asked the other Board members to consider allocating \$1,000 towards the Blacksburg Dixie League All-Stars to help them cover travel expenses to the Dixie League World Championship in North Carolina.

A-FY-12-24
BOARD OF SUPERVISORS
TRANSFER FROM GENERAL CONTINGENCIES
CONTRIBUTION TO THE BLACKSBURG DIXIE LEAGUE
DIXIE YOUTH WORLD SERIES

On a motion by John A. Muffo, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

<u>FROM:</u>		
950	General Contingencies	(\$1,000)
<u>TO:</u>		
100	Board of Supervisors	\$1,000

Said resolution transfers funds from General Contingencies to help defray expenses for the Blacksburg Dixie Youth Baseball Team (Ages 9-10) traveling to the Dixie Youth World Series held in Moore County, NC. August 12-18, 2011.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Doug Marrs	
John A. Muffo	
Gary D. Creed	
Annette S. Perkins	
William H. Brown	
James D. Politis	

Board Reports Continued

Supervisor Muffo reported he attended a presentation regarding the Presidential Memorandum entitled "Unleashing the Wireless Broadband Revolution". The presentation was about the need to expand wireless broadband access in the United States which will trigger the creation of innovative new businesses, provide cost-effective connections in rural areas, increase

productivity, improve public safety, and allow for the development of mobile telemedicine, telework, distance learning, and other new applications that will transform Americans lives. Supervisor Muffo reported there have been numerous homegrown companies in Montgomery County that are leaders in the technology field. He stated that Arizona State University's technology support is contracted out to a company located in Montgomery County.

Supervisor Marrs asked the Board to consider adopting a resolution recognizing the Western Virginia Regional Jail's accreditation. He stated that receiving accreditation takes a lot of hard work and is not an easy feat; especially only being opened for three years.

R-FY-12-16
RESOLUTION RECOGNIZING
WESTERN VIRGINIA REGIONAL JAIL ACCREDITATION

On a motion by Doug Marrs, seconded by John A. Muffo and carried unanimously,

WHEREAS, The Western Virginia Regional Jail opened in April 2009 to relieve the over-crowded conditions in the local jails serving the Counties of Franklin, Roanoke, and Montgomery and the City of Salem; and

WHEREAS, The WVRJ staff has worked together to achieve accreditation through the American Correctional Association (ACA); and

WHEREAS, The ACA audit was conducted by a team of highly experienced corrections experts over a three day period in April 2011; and

WHEREAS, WVRJ attained 100 percent compliance on all applicable ACA standards.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby recognizes the Western Virginia Regional Jail's achievement in earning the American Correctional Association (ACA) accreditation.

BE IT FURTHER RESOLVED, The Board of Supervisors congratulates the WVRJ staff for their dedication and hard work and a job well done.

The vote on the foregoing resolution was as follows:

AYE

Gary D. Creed
Annette S. Perkins
William H. Brown
Mary W. Biggs
Doug Marrs
John A. Muffo
James D. Politis

NAY

None

Board Reports Continued:

Supervisor Marrs expressed concerns regarding the Crime Times Magazine that is being published. He stated that the publisher is making money off this while the local Sheriff/Regional Jails are the ones taking the pictures. He believes that the locality should be receiving some revenue from this magazine.

ADJOURNMENT

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously, the Board adjourned to Monday, August 22, 2011 at 6:00 p.m.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
William H. Brown	None
Mary W. Biggs	
Doug Marrs	
John A. Muffo	
Gary D. Creed	
Annette S. Perkins	
James D. Politis	

The meeting adjourned at 9:35 p.m.

APPROVED: _____	ATTEST: _____
James D. Politis	F. Craig Meadows
Chair, Board of Supervisors	County Administrator